

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

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**MINUTES OF PROCEEDINGS--CIVIL**

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DATE: May 2, 2012

Hodell-Natco Industries, Inc.,

Plaintiff,

CASE NO. 1:08-cv-02755

vs.

COURT REPORTER: N/A

SAP America, Inc., *et al.*,

MAGISTRATE JUDGE GREG WHITE

Defendants.

Attorney for Plaintiff(s): Wesley Lambert  
James Koehler

Attorney for Defendant(s): Greg Star  
Roy Hulme

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**PROCEEDINGS:** The Court held a telephone conference addressing Plaintiff's Motion to Compel. (ECF No. 75.) Plaintiff's counsel indicated that after conferring with defense counsel, the only disputes remaining from his motion to compel concerned First Document Request #14, and Second Documents Requests #5, 15, 17 and 18. The parties agreed to a procedure moving forward, the basic parameters of which are outlined below. No later than May 18, 2012, the parties shall file a joint status update with the Court. In the interim, the Court will defer ruling upon Plaintiff's motion to compel.

**First Request #14:** This request is limited to documents concerning the technical capabilities/limitations of the software at the time of purchase from TopManage Financial Systems. Defense counsel will speak to Mr. Ziv, a former employee, and Shia Gase to ascertain which employees of SAP may possess documents responsive to this request. A search will then be conducted.

**Second Request #5:** This request is limited to documents concerning the diagnosis of problems with the installation/operation of Business One software. Defense counsel indicates a search of Dirk Boessman's documents was in process, and that references to "Weidmueller" would be added to the search.

**Second Request #15:** This request is limited to documents concerning the diagnosis of problems with the installation/operation of Business One software. Defense counsel indicated that it agreed to produce Paul Killingsworth as its Rule 30(b)(6) deponent, and will search his documents for issues encountered by FloMo relating to (1) the number of users and (2) the

volume of transactions that the Business One software could accommodate. Responsive documents are to be produced prior to deposition.

**Second Request #17:** The request is limited to documents concerning the number of users SAP's Business One software could accommodate as it relates to Fast-Rite International. Plaintiff's counsel will identify an SAP employee he believes may have relevant documents and defense counsel shall run a search.

**Second Request #18:** Plaintiff's counsel agreed to contact counsel for Defendant LSi in an attempt to ascertain which SAP employees gave presentations at the North America Field Kick-Off meeting in Las Vegas, Nevada in January of 2004. Meanwhile, defense counsel shall attempt to ascertain the identities of SAP employees who presented at the meeting and collect responsive materials.

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1 hour 15 minutes

Total Time

/s/ Greg White  
U.S. Magistrate Judge